THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.12825 of 2007

Dated:25.06.2007

Between:

Vadla Prabhakar and another.

…Petitioners

and

The District Collector and another.

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.12825 of 2007

ORDER:

The petitioners state that their father, Monaiah, is the owner of the land admeasuring Acs.12.21 guntas in Survey No.106 situated at Motighanpur Village of Balanagar Mandal in Mahabubnagar District. After the death of their father, the petitioners succeeded to the property. They submitted an application in Form VI(A) on 15.03.2007 requesting for necessary changes in the record of rights and issue of pattadar pass books. Alleging that no action has been initiated as required under the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971, and the Andhra Pradesh Rights in Land and Pattadar Pass Books Rules, 1989 (for short 'the Rules'), the petitioners filed the present Writ Petition seeking a direction to the respondents to enter their names in the revenue records as cultivators.

As rightly pointed out by the learned Assistant Government Pleader for Revenue (General-T), the application is made only on 15.03.2007. As per Rules 18, 19 and 20 of the Rules as well as Form VIII, an elaborate enquiry has to be conducted by the Mandal Revenue Officer for ordering alteration of record of rights either in the case of succession to the property or acquisition of property. Therefore, this Court is not inclined to prescribe any time schedule. Indeed, in **Mir Fazle Ali Nasiri v. State of A.P. and others**[1] this Court has adverted to the matter that ordinarily a mandamus shall not be issued to the statutory authority to act within the stipulated time.

The Writ Petition is, therefore, dismissed with liberty to the

petitioners to pursue the matter with the Mandal Revenue Officer. No costs.

(V.V.S.RAO, J)

25.06.2007
vs

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[1] 2007 (2) ALD 3